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Spring 2006

### Maine Law Magazine - Issue No. 84

University of Maine School of Law

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# MAINE LAW

THE ALUMNI/AE MAGAZINE OF THE UNIVERSITY OF MAINE SCHOOL OF LAW



A PLACE OF GREAT OPPORTUNITY

ISSUE NO. 84 ■ SPRING 2006 ■ PORTLAND, MAINE

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LARRY MULLEN, '81 ANDOVER, MA

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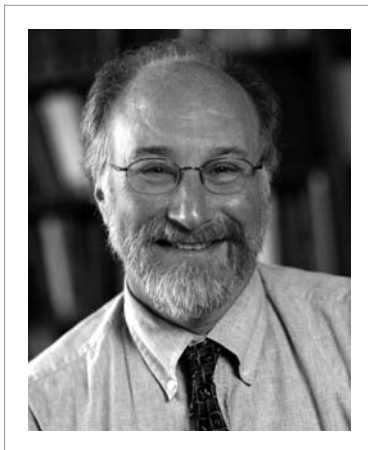
**THIS ISSUE OF THE MAINE LAW**

magazine features the Law School's multifaceted program in law and technology, signaling an important element of our trajectory. Maine Law's take on technology reflects commitment to engagement on multiple levels. The Center for Law & Innovation, including the Maine Patent Program, continues to provide counsel to inventors and entrepreneurs and to participate in policy development around technology and economic development. The Center serves as a resource, as well, for the scientific research community and facilitates commercial applications. As Portland emerges as a world-class marine science city, we see powerful synergy with coastal institutions such as the Gulf of Maine Research Institute and with an array of university participants.

Our students are playing an expanding role in this exciting activity, as they participate in our newly established clinical program in intellectual property. Based at the Center for Law & Innovation, this intellectual property clinic enables students to pursue patent law projects and gain hands-on experience in transactional matters. Students are supervised by Center Director Rita Heimes and Patent Program Director Leonard Agneta.

Faculty members Tom Ward, Christine Galbraith, and Jeff Maine are publishing their innovative interdisciplinary work in intellectual property law, making the link between intellectual property and commerce. And, Maine Law alumni/ae are well situated in a range of careers at the cutting edge of technology law and play a critical role in mentoring, modeling, and placement for our students.

As we embrace new directions and wider engagement for the Law School, let me also mark a watershed



event. At the end of this academic year, Orlando Delogu plans to retire after forty years at Maine Law. Happily, he will continue to be an active participant in the life of the Law School, with emeritus status and continuing presence. Orlando is an institution here and, to our benefit, will remain so.

We look forward to welcoming another generation of stellar scholars and teachers. Chris Knott will join our faculty as of July and, as Director of the Law Library, will keep us at the cutting edge of information technology. Laura Underkuffler of Duke University, a renowned property law scholar and an energetic colleague, will be a visiting professor in Fall 2006. Melissa Powers, an environmental law expert at Lewis & Clark Law School in Oregon, will be a visiting professor in Spring 2007. And, a number of alumni/ae and friends in the judiciary and practicing bar will teach in our emerging bridge course program, bridging practice and theory in short courses for our students.

Thank you all for your interest, for your support, and for your engagement with the Law School. Maine Law is on the move.

*Peter Pitegoff*

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## From Idea... to Invention

### One Inventor's Success Story

Barrie Lee Johnson likes gourmet coffee, but not the rocket fuel favored by her husband, Gordon. Camping—when packing light is important—meant caffeine conflicts. Johnson frequently found herself sipping Gordon's pumped-up java or resorting to an unsatisfying mug of instant. So she set out to find an easy-to-pack single-cup coffee steeper—and failed. “I decided I would have to make one myself,” she says.

Johnson, who lives in Raymond, developed the Cup-pour-ri, a variation on the tea strainer. The plastic tablespoon is equipped with top and bottom screens; the top swivels open to scoop coffee. Initially Johnson did not believe the friend who told her she could get free advice on marketing her product through the University of Maine School of Law. And once she was convinced, she hesitated to make an appointment. “They're not going to want to sit down with a do-it-yourselfer,” she thought. “They'll think I'm crazy.”

When Johnson did finally visit the Center for Law and Innovation—and its Maine Patent Program—she was more than pleasantly surprised. “The people in the Maine Patent Program were the most concerned, most genuinely helpful people I've ever met,” she says. “No question was too minimal or too silly. They return your

# The Center for Law & Innovation

**TWO YEARS AGO ZACHARIAH CONOVER** had a good idea: create a backup technology for the Global Positioning System, the satellite-based radio-navigation system known as GPS. Armed with an MBA from Drexel University, Conover brought his plan home to Maine as CrossRate Technology LLC.

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**“The Center for Law and Innovation is a tremendous resource. It's a great program that is helping a lot of people.”**

— ZACHARIAH CONOVER,  
FOUNDER, PRESIDENT AND CEO,  
CROSSRATE TECHNOLOGY LLC

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“GPS is vulnerable to intentional and unintentional disruption,” Conover, the former U.S. Coast Guard officer, explains. He took his good idea—a receiver integrating GPS with another navigational system called eLoran—to Maine Law's Center for Law and Innovation, where Maine Patent Program lawyers and Law School externs surveyed the intellectual property landscape to determine whether the concept was patentable. “The answer was yes and no, which is exactly what we were looking for,” Conover says. “We were able to show that the receiver box was not patentable, which meant we had a right to market it, but the parts and pieces—the secret sauce—were.”

Patentability opinions typically cost \$1,500 or more in lawyers' fees, enough to give fledgling inventors pause, if not stop them cold. The cost to CrossRate? Absolutely nothing. Moreover, CrossRate used the Maine Patent Program's opinion to leverage two Maine Technology Institute grants, one for market research, the other for product development. Conover was so impressed with the students' work that he and Center Director Rita Heimes created an internship at CrossRate for **Andre “Andrew” Belousov '06**. Belousov is conducting deeper industry research and writing the company's draft patent application in advance of hiring a patent attorney. “Besides his patent experience, Andrew has an undergraduate degree in computer science and electrical engineering,” Conover raves. “He's got good, practical knowledge. He knows what is going on. The Center for Law and Innovation is a tremendous resource. It's a great program that is helping a lot of people.”

One good idea really does lead to another—or, in the case of the Center for Law and Innovation, many others. The Center was the good idea of the Maine State Legislature in 1999 when it was established as part of a larger initiative to develop Maine's science and technology economy. Its public service unit, the Maine Patent Program, was added the following year. “To have the state ask the ▶

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Law School to provide economic development service in such a direct way is an honor,” Rita Heimes says. “It is unique to have a state recognize that intellectual property law is intimately tied to science and technology economies. Maine figured out that if you want to invest in people’s inventiveness and entrepreneurship, it’s a good idea to provide them with patent advice.”

Thanks to the Maine Patent Program and frequent public education seminars across the state, the Center for Law and Innovation is now recognized as the state’s best resource for information and service on patents and technology transfer. But the practical training the Center offers future intellectual property lawyers is also invaluable – and rare among the nation’s law schools. Each semester, two externs work directly on patent and trademark matters for scientists, inventors and entrepreneurs in the Center’s offices on the Portland waterfront. Under the guidance of staff patent attorneys, they perform patent searches and draft patentability opinions.

“The experience they get here is intense,” says Leonard Agneta, who was hired to direct the patent program last fall. “There is a lot going on. They are submersed in it. You’ve got to give them credit because we throw a lot at them, and they need to get up to speed quickly. We depend on them as much as they benefit from working here. We couldn’t do it without them.”

Alumni/ae say the externships provide a real-life experience in practicing law.

“What I did there is very similar to what I am doing now,” says **Brian Libby ’05**, who has been practicing patent law at Verrill Dana in Portland since September. “It trained me to articulate to inventors what they need to do and gave me a feel for what local inventors are creating.”

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**“Maine figured out that if you want to invest in people’s inventiveness and entrepreneurship, it’s a good idea to provide them with patent advice.”**

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— RITA HEIMES, DIRECTOR,  
CENTER FOR LAW AND INNOVATION

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**Patrick Archibald ’03**, a lawyer with Lambert & Garrison in Boston, said the externship introduced him to an area of law that emphasizes public service. “It’s a side of the law that is really looking to help people,” he says. “The Maine Patent Program was a great learning experience with very practical aspects to it. We were meeting real people who would come in with prototypes and drawings for their inventions.”

Next September, Maine Law will build on this asset as it expands the externship program into an intellectual property law clinic combining hands-on counseling experience with classroom instruction. “A clinical experience in IP law is fairly unique,” Heimes says. “To have it at Maine Law and to have it so fully developed is truly extraordinary. We hope it becomes a reason why some students choose to come to Maine.”

Within the next year Heimes will ▼

phone calls. They get you in touch with lawyers and other inventors.”

Center Director Rita Heimes brought a marketing expert to one session, and she booked Johnson at an inventors’ symposium where she was interviewed by a local television news program. “I got great exposure,” she says.

In addition to the individual counseling she received at the Center, Johnson has benefited from its seminars on patent basics and other topics and was even invited to share her story at one of the forums. She and Heimes also talked about inventing to a group of gifted and talented students at a local public school.

By the time she heard about the Center, Johnson had already spent more than \$10,000 bringing the Cup-pour-ri to market (it is now being sold at retailers all over the country). She was able to take greater advantage of its services with her next invention, the Jump Easy horse jump. That product cost about \$3,000-\$4,000 to patent.

“From the moment I met the people at the Center I was important to them,” Johnson says. “I didn’t want to hear, ‘You’re out of your mind.’ Inventors need to hear, ‘Don’t quit. You’re doing great.’ They need a support group to network for information. That’s what I found at the Center for Law and Innovation.” ❧❧



## From the Director

Maine has traditionally fostered natural-resource based enterprises, and remains deeply committed to maintaining its valuable industries in agriculture, forestry and fishing. Yet no economy can thrive without innovation, without embracing and even creating new biological and information technologies.

Generating such economic activity requires fierce public devotion to creativity and entrepreneurship; long-term commitment from government; and a cultural shift within scientific research communities. Also required is a highly skilled legal community to help businesses navigate in the new, complex global economy.

The Center for Law & Innovation embodies the connection between strategic economic development policy and legal scholarship, education and service. It is no surprise that old industries are driven forward by innovation as much as new ones. The Center's outreach therefore extends not just to high-technology sectors like biotechnology and information technology, but also to Maine's traditional natural resource-based

form a task force to attract students with the science and technology backgrounds that are a must for lawyers wishing to practice before the United States Patent and Trademark Office. "With scientific research as competitive as it's ever been, some graduate and post-graduate science students may find that patent law will work for them," Heimes says. "We can demonstrate that we provide a unique environment in which to make that transition. They can get a J.D. in three years and get excellent jobs in a law firm because they are scientists who know how to write a patent."

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**"Often inventors are very enthusiastic, moving forward at a rapid pace, and they forget about the legal issues of public disclosure that can prevent them from getting patents."**

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— LEONARD AGNETA, DIRECTOR,  
MAINE PATENT PROGRAM

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That environment includes a staff well-versed in patent law, Internet law and copyright and trademark law. Agneta, for one, is the former director of the University of Nebraska Medical Center's Intellectual Property Office. The addition of his medical technology and technology transfer expertise to the Center's collective résumé anticipates the dramatic growth predicted for Maine's biotechnology economy. Working with Agneta are senior patent counsel Willis "Woody" Higgins, who has more than 35 years

of intellectual property practice, and patent advisor E. Thomas Maas, a registered U.S. patent agent. And, of course, there is Rita Heimes herself. Besides teaching at the Law School, she leads discussions across the state on the role of intellectual property law in science and technology economic development policy. She also serves on a number of boards dedicated to advancing research and development in Maine, including those of the Biotechnology Association of Maine and Pop!Tech and the Maine Science and Technology Advisory Council.



Just six years old and only now fully staffed with the hiring of Agneta, the Center for Law and Innovation has nevertheless managed to exceed its legislative mandate, which requires it to hold at least eight workshops a year. Last year the Center reached more than 800 Maine residents at 26 educational forums offered on University of Maine campuses across the state. These seminars – topics range from patent and trademark basics to technology commercialization – support Maine's effort to ►

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commercialize and manufacture innovation. “Often inventors are very enthusiastic, moving forward at a rapid pace, and they forget about the legal issues of public disclosure that can prevent them from getting patents,” Leonard Agneta says. “One of the aims of these seminars is to make the inventive community aware of what they should watch out for.”

Additionally, the Maine Patent Program provided individual IP counseling and related services to a record 174 clients in 2005, more than three times the minimum specified by the legislature.

“We hope to expand the program,” Agneta says. “There is a lot of function we could add.” He would like to connect inventors and entrepreneurs with University of Maine researchers. “The University has resources, such as labs and expertise that independent inventors don’t have. By the same token, the University doesn’t have the time to bring particular technologies to market. It also would allow you to establish a position in technology that is rooted in a geographic region. If you protect the intellectual property, you can determine where the manufacturing will take place.”

The patentability opinions rendered

by the Center are not always good news for the clients for any number of reasons. “We encourage them to think wisely about moving forward,” Agneta says. “Our goal is to make them understand what the effect of a patent is. We want them to continue inventing. We don’t want them to get discouraged.”

Kathy Rodrigue of Lewiston is one of the lucky ones who walked out the Maine Patent Program with good news. Her invention, Sports P.A.L., was born of her own efforts to get her sons’ hockey pads and uniforms off the floors and furniture in a way that would also satisfy her husband, a fanatic about air drying to prevent staph infections. The Sports P.A.L. – that’s Portable Athletic Locker – is a large mesh sports bag insert with pockets for storing pads, gloves and helmets and Velcro strips for hanging sweaty socks. It was Woody Higgins, senior patent counsel for the Maine Patent Program, who found Sports P.A.L. patentable and who advised Rodrigue on a course of action, even accompanying her on her first visit to a patent attorney. “The program really minimized my expenses,” says Rodrigue, who received her patent last October. “I spent \$6,000 developing the product; without them I would have spent \$20,000.” ❧

industries, which are deeply affected by science and technology. We participate in discussions to make Portland the nation’s Marine Science City; act as a Navigator for the Gulf of Maine Research Institute; and work with scientists and policymakers to create a forum for the impact of climate change on the Gulf of Maine ecosystem and coastal communities. The Maine Patent Program has assisted the University of Maine with paper and aquaculture projects, and private clients with new harvesting tools or fishing gear. Each case involves a traditional industry rapidly evolving through technological innovation.

As the Center integrates more deeply and effectively into the state’s economic environment, we never let pass an opportunity to teach law students skills to serve creative clients. Next fall, the Center will host the Law School’s first clinic in intellectual property, allowing students to earn course credit while gaining unique and valuable training on patent, trademark and technology transfer projects. Our goal is to create one of the nation’s most robust and extensive programs in intellectual property transactional law, and to use the program to attract science and technology students to Maine Law.

Our students are also involved in a variety of major legal research projects, ranging from complex patent analysis for a nonprofit scientific research laboratory to updating the legal handbook for Maine’s harbormasters. The Center’s online *Law & Innovation Journal* ([www.lawandinnovation.org/cli/journal](http://www.lawandinnovation.org/cli/journal)) publishes students’ scholarly articles involving intellectual property law, providing them a forum to demonstrate their research and writing skills while allowing the public the benefit of their fine work.

Perhaps the Center’s most important role is to make connections. We generate important conversations through conferences and symposia, we introduce people with good ideas to those who can help realize them, and we lend our expertise and energy to projects creating positive changes in Maine. ❧

— RITA HEIMES, DIRECTOR  
CENTER FOR LAW & INNOVATION



## Fred W. Hathaway '85

**Shareholder, Buchanan Ingersoll PC  
Alexandria, Virginia**

Fred Hathaway focuses his practice in domestic and international trademark counseling, clearance, prosecution, and trademark litigation before the Trademark Trial and Appeal Board. He also represents clients in trademark and domain name litigation in United States district courts and circuit courts of appeal. Hathaway has served as an adjunct professor of trademark and unfair competition law at Georgetown University Law Center. He is admitted to practice in Virginia, Maine and the District of Columbia and before the U.S. Patent and Trademark Office.



## Alfred C. Frawley III '76

**Partner, Preti Flaherty Beliveau  
Pachios & Haley LLP  
Portland, Maine**

Fred Frawley is one of Maine's most experienced attorneys in intellectual property, antitrust and trade regulation law. He has managed trademark portfolios in the United States and throughout the world and has been active as a member of the International Trademark Association (INTA) and the American Intellectual Property Association. Frawley has served on INTA's Internet Committee for several years. He has also served as an arbitrator in Internet Corporation for Assigned Names and Numbers (ICANN) domain name disputes. Frawley is admitted to practice in Maine and the District of Columbia and before the U.S. Court of Claims; the U.S. Court of Appeals, First Circuit; the U.S. Supreme Court; and the U.S. Tax Court.



## Christine Galbraith, Associate Professor of Law

**ASSOCIATE PROFESSOR CHRISTINE GALBRAITH HAS** been interested in intellectual property since she was an undergraduate majoring in broadcast journalism at the University of Illinois. It was there that she took a communication law course, which highlighted the importance of the field. Additionally, while in college, Galbraith worked as a news director of a college radio station and an on-air intern at an NBC television affiliate, where she first faced intellectual property challenges hands-on.



"I had to deal with copyright issues directly, in deciding what materials I could utilize in preparing a story, as well as determining how much protection my work or the work of the reporters on my staff was entitled to under copyright law."

Professor Galbraith chose law school over a full-time journalism career, working in the intellectual property departments of several large Chicago law firms. She says she didn't seriously contemplate an academic career until she had been in practice for several years.

"Although I really enjoyed practice, the more I thought about it, what I liked the most about my job was educating clients about the law in order to help them make appropriate business decisions concerning their intellectual property assets."

She also felt frustrated that she wasn't able to ►

research issues as deeply as she wanted. Additionally, her research topics were driven by her client's needs. "Being in academia affords you the luxury of picking research projects you find interesting to work on and write about," says Galbraith, who joined the Maine Law faculty in 2001. She now teaches Introduction to Intellectual Property, International Intellectual Property and Contracts.

"I would like my students to come away from my class not only able to identify potential intellectual property issues when dealing with clients, but also knowing how we strike the balance of protection in intellectual property has an impact on society."

Professor Galbraith believes preserving the public domain has become increasingly important, as information is increasingly becoming more inaccessible due to legislatively or judicially sanctioned technological and contractual constraints. Currently, she is working on an article examining whether information that is not copyrightable should be protectable as property and its relationship to the public domain.

Professor Galbraith's published articles include "Access Denied: Improper use of the Computer Fraud and Abuse Act to Control Information on Publicly Accessible Internet Websites" (*Maryland Law Review*) and "Electronic Billboards Along the Information Superhighway: Liability Under the Lanham Act for Using Trademarks to Key Internet Banner Ads" (*Boston College Law Review*). She also serves on the Center for Law & Innovation's Advisory Board.

## Jeffrey A. Maine, Associate Dean and Professor of Law

**PROFESSOR JEFF MAINE LOVES** discovering new territory – whether it's fishing in Maine's western mountains, hiking, or exploring new areas of law. During the last several years he has authored two text books, written several journal articles, and spoken to many groups on the largely uncharted area of intellectual property taxation. His casebook is the first on the subject.

The books, which Professor Maine co-authored with Xuan-Thao ▼



## Jane E.R. Potter '88

**Partner, Davis Wright Tremaine LLP  
Seattle, Washington**

Jane Potter's practice areas include intellectual property, patents and life sciences. She handles large patent portfolios and performs all aspects of patent prosecution for established biotechnology and pharmaceutical



companies. For smaller companies, Potter takes a more active role in strategic decisions for protecting their inventions; she also gives talks to groups of scientists to help them understand the patent process. In addition to her J.D., Potter holds an M.A. and Ph.D. in Biochemistry from New York University. Potter is admitted to practice in Maine, Washington and in the District of Columbia and before the U.S. Patent and Trademark Office.

## Christine C. Vito '93

**Partner, Kirkpatrick & Lockhart  
Nicholson Graham LLP  
Boston, Massachusetts**

Christine Vito's practice areas include intellectual property and medical/life sciences. She advises clients in matters relating to patent procurement and strategic portfolio development; technolo-



gy licensing, partnering and asset management; and general intellectual property counseling regarding patent infringement, validity and enforcement. In addition to her J.D., Christine Vito holds a Ph.D. in Microbiology from the University of Massachusetts at Amherst. She is admitted to practice in Maine and Massachusetts and before the U.S. District Court for the District of Massachusetts and the U.S. Patent and Trademark Office. Vito also serves on the Advisory Board of the Center for Law & Innovation.

## Erik Heels '95

**Founder, Clock Tower Law Group  
Maynard,  
Massachusetts**

Erik Heels founded Clock Tower Law Group, a patent and trademark business focusing on toys, games and sporting goods, in 2001 after working for various Internet companies following graduation from Maine Law. Heels obtains U.S. and foreign patents and trademarks for clients and counsels them on how to use them both offensively and defensively. He is admitted to practice in Maine, Massachusetts and before the U.S. Patent and Trademark Office. Heels also serves on the Advisory Board of the Center for Law & Innovation.



## Steven G. Saunders '92

**Partner, Bromberg & Sunstein LLP  
Boston, Massachusetts**

Steven Saunders devotes a significant portion of his practice to identifying and protecting technologies that are critical to his clients' business goals. To this end, Saunders works closely with both technology and business personnel to learn their business and execute an effective intellectual property protection strategy. Strategies often include determining which type(s) of intellectual property protection best serve the client's needs (e.g., patent, trademark, or trade secret protection), locating and analyzing prior art and issued patents that may act as a potential obstacle to these needs, and determining prudent business and legal options (e.g., instituting patent infringement litigation) in view of such potential obstacles. Saunders is admitted to practice in Massachusetts and before the U.S. Patent and Trademark Office.



Nguyen of Southern Methodist University's Dedman School of Law, are *Intellectual Property Taxation: Problems and Materials* and *Intellectual Property Taxation: Transaction and Litigation Issues*. "The textbooks are used at a number of law schools and are designed to help students and lawyers decipher complex intellectual property tax issues," he said.

"There are many special rules regarding taxation of intellectual properties," noted Professor Maine, "And, practitioners who are not schooled in this tax law area too often advise their clients on intellectual property and litigation issues without fully understanding the tax implications."

Professor Maine came to Maine Law in 2003 after teaching at Texas Wesleyan University School of Law, University of Idaho College of Law, and Stetson University College of Law. In addition to teaching a popular taxation course, he regularly teaches an Intellectual Property seminar which he said helps him focus his scholarly agenda on IP tax policy. An article on domain name taxation, published in the *Hastings Law Journal*, was recently cited by the Federal Circuit Court of Appeals.

When he isn't teaching, pursuing his scholarly work in IP taxation, or fly fishing, he also serves as the Law School's Associate Dean for Academic Affairs.

## Thomas Ward, Professor of Law

**IN 1988, TOM WARD WAS WORKING ON MATERIALS FOR A** course in Contract Law and Licensing for IP graduate students at the Franklin Pierce Law Center. His research on that project convinced him that very few people were writing or even thinking about the growing prominence of intellectual property assets on business balance sheets and the issues that this asset transformation posed for the transactional lawyer. Since that serendipitous moment, Professor Ward has focused his scholarship on the intersection of IP and commercial law. He is now a recognized authority on the commercial aspects of intellectual property law.

Professor Ward has revised his treatise *Intellectual Property in Commerce* (Thomson West) five times since it was originally published in 2000 and he is currently working on a case book covering the same topic. ▶

"In my work, I examine intellectual property rights as they have evolved into major commercial assets in the modern enterprise. Issues include those related to ownership, financing, valuation, asset pooling, creditor-debtor rights and bankruptcy," he said.



Professor Ward points out that both the technology and the law are developing so rapidly, that emerging issues often catch lawyers and regulators by surprise. Some of these emerging problems suggest the need for real structural changes in our institutions and legal regimes. Professor Ward is currently working with Professor William Murphy at the Franklin Pierce Law Center and Professor A.R. Venkatachalam of the Whittemore School at the University of New Hampshire on a project for the United States Patent and Trademark Office. The research team is trying to provide a workable legal protocol and effective electronic link between patent title information maintained at the federal level by the USPTO and state-maintained lien information in Uniform Commercial Code (UCC) filings. The pilot project is aimed at integrating the USPTO recording database with the state UCC databases from Maine, New Hampshire and Massachusetts.

Professor Ward has taught at Maine since 1976. He regularly teaches contracts to first year students and a mix of commercial law and intellectual property courses to upper-class students. He has been a visiting professor at Illinois, Notre Dame, Seattle, Franklin Pierce, and the National University of Ireland at Galway.

He currently serves as co-chair of the ABA Subcommittee on Intellectual Property Financing and as a research fellow for the Licensing Executive Society (USA and Canada). ◀◀

## Briana K. O'Regan '00

**Senior Counsel, Sappi Fine Paper  
South Portland, Maine and Boston,  
Massachusetts**

Briana K. O'Regan serves as corporate counsel with an emphasis on intellectual property. In that capacity, she negotiates contracts, manages outside counsel, supervises patent and trademark prosecution, maintains



IP portfolios and oversees intellectual property due diligence for acquisitions. She is admitted to practice in Maine and Massachusetts and before the U.S. Patent and Trademark Office. In addition to her J.D., O'Regan holds an MBA from the University of Southern Maine. ▶▶

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**Learn more about the Center  
for Law & Innovation by visiting  
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**Read original articles and essays  
on issues in intellectual property  
law, e-commerce, technology  
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## Student Story



**John Nidiry '06 uses words like “fascinating” and “shocking” when he describes his summer public interest fellowship in South Africa.**

Nidiry spent 10 weeks working for the Legal Resources Centre (LRC), an independent, client-based, not-for-profit organization in Cape Town. While there, he shadowed the senior housing advocate and worked on issues relating to the city's housing crisis.

Nidiry's experience, which was made possible through the Maine Association for Public Interest Law (MAPIL), was a first-hand look at a country only a decade deep in democracy.

“I was able to witness and contribute to the development of democracy in the wake of Apartheid and challenge my own preconceived views on race and class, human rights, and humanity,” said Nidiry.

He worked closely with lawyers who he says spent much of their careers “protesting in the streets and behind bars against Apartheid.” Today, they

## F. Paul Frinsko '69 Honored with New Fund in His Name

**THE UNIVERSITY OF MAINE SCHOOL** of Law Foundation announced recently the establishment of the Shur-Frinsko Award for Municipal Law and Local Governance. The award is named after two prominent Maine lawyers, Barnett I. Shur and **F. Paul Frinsko '69**, in recognition of their achievement in the practice of law and their leadership in municipal law.

The Shur-Frinsko Award will be given each year to a student at the Law School who has demonstrated academic excellence and accomplishment in the area of municipal law, land use, or local governance, with commitment to and capacity for further contribution to the field.

The award is made possible by the Portland law firm of Bernstein Shur, the family of the late Barnett I. Shur, the Nelson & Small corporate family, the Walter Corey family, and a number of individual donors. In consultation with faculty, the Dean will select one law student each year to receive the award. The student chosen will receive a cash award and appropriate recognition.

“The Shur-Frinsko Award provides a boost for the Law School's role in local and regional affairs,” said Dean Peter Pitegoff. “It is a worthy honor for Barnett Shur and Paul Frinsko, and we are grateful for the generous support from their friends and colleagues.”

F. Paul Frinsko, who graduated from Maine Law in 1969 with honors, is



F. Paul Frinsko '69

one of the leading municipal attorneys in the state. He has practiced at Bernstein Shur his entire legal career. He graduated from Middlebury College in 1961, served in the U.S. Army from 1962-1965 as a Captain in military intelligence.

“In the more than 25 years that I've worked with Paul Frinsko, I've found him to be a brilliant communicator who can explain difficult concepts to any audience,” said **Charles E. Miller '79**, Bernstein Shur's managing shareholder. Frinsko continues to practice in Portland as Counsel to Bernstein Shur.

Barnett I. Shur, who passed away in 1992, was a founding partner of Bernstein Shur and a pioneer in the area of municipal law. He served as general counsel for the City of Portland for 25 years and as Acting City Manager on several occasions. ❧

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# Law School News

## 2005 Grads Perform Well on Bar Exam

**83% OF 2005 GRADUATES WHO** took the Maine Bar last July passed, according Derek VanVolkenburgh, Director of Career Services at the Law School. Of the 60 grads who took the exam, 51 passed – a marked improvement over past years.

“This improvement in bar passage is great news,” said Dean Peter Pitegoff. “It suggests that a concerted Law School effort last spring to improve bar exam preparation had a positive impact.” Professor Jeffrey Maine, Associate Dean for Academic Affairs, and Carol Vizzier, Assistant Dean of Students, have introduced a review program for third-year students and invited lawyers and judges to conduct evening lectures on selected bar exam topics.

“Congratulations to those alumni/ae who passed the exam,” said Dean Pitegoff, “and special thanks to the members of the bench and bar who participated in our review program.”

## Maine Law Ranks #3 on Princeton Review List

**THE PRINCETON REVIEW RANKED** the University of Maine School of Law #3 on its list of Best Law Schools for being “Most Welcoming of Older Students.”

The list is part of the publication *Best 159 Law Schools*, which has 11 ranking lists, each of which identifies the top ten law schools in its specific category.

According to Robert Franek, VP & Publisher of The Princeton Review, over the course of a three-year cycle, the company collected the opinions of students at more than 159 of the best ABA-approved law schools in the United States and “gathered statistical information on many more in order to give readers the widest possible base of information for selecting the right law school for them.”

The survey was conducted during the course of the 2003-2004 and 2004-2005 academic years. The results were released on October 3, 2005.

## (NIDIRY CONTINUED.)

provide legal representation to the quarter or more of Cape Town’s population that lives in shacks with dirt floors, no running water and no electricity.

One case on which Nidiry worked involved a community of about a thousand households living dangerously close to commuter railroad tracks. In 2003, the shack dwellers had been given eviction notices by the railway company. The LRC worked to slow down the eviction process as it urged the city to provide emergency relief to the residents, as mandated by the National Housing Act. With no relief in sight, Nidiry and the LRC advocate met with community representatives and reported back to city officials, pressing them to acknowledge the urgency of the situation. Nidiry and the LRC also sent a letter to Cape Town’s mayor, sharply criticizing her for not providing emergency relief quickly enough. By August, city officials had responded to pressure and made the railway community relief project a priority.

“MAPIL’s support provided me with the opportunity to realize a dream—that of working in the ‘new’ South Africa. My eyes have been forever opened by what I saw.”

Nidiry, who graduated magna cum laude from Bowdoin College in 2000 with a B.A. in History, is hoping to pursue a career in civil rights advocacy. ❧

## 2005 Wathen Writing Prize Awarded

**Paul Greene ’07** and **Heather Sanborn ’07** were awarded Wathen Writing Prizes for the outstanding legal briefs they wrote during the spring semester in the United States Supreme Court case *Van Orden v. Perry*.

(l to r): Paul Greene ’07, Hon. Daniel E. Wathen ’65, and Heather Sanborn ’07



## Student Story



### Brian Tomney '06 is a standout among law students across the country.

He has been selected for the highly competitive Attorney General's Honors Program, which is the United States Department of Justice's (DOJ) recruitment program for entry-level attorneys. Tomney was one of seven people chosen to work in the DOJ's Criminal Division out of an applicant pool of approximately 2700.

Tomney spent this past summer working in the DOJ's Counterterrorism Section (CTS) through the agency's Volunteer Internship Program. Due to the nature of the work, he cannot provide great detail about his position, but he says, "I wrote memos, did research and participated in various briefings and interviews." The written memos were on matters such as hearsay, character evidence, and the doctrine of manifest necessity as it applies to a prosecutors request for mistrial. Tomney also wrote an immigration brief for the 9th Circuit and evaluated cases for possible indictment.

"The mission of CTS is to prevent and disrupt terrorist activity through investigation and prosecution, as well

## Leaving Your Legacy at Maine Law

**MAINE LAW ALUMNI/AE ARE**, by other law school standards, a young group, notes **Peter McKenney '77**, President of the Law School Foundation Board of Directors. "Only 17% are over the age of 55 and by and large they are a vigorous group, many just reaching their most professionally productive years," he says. "Typically, professionals like this spend less time on estate planning than those who are older. And, that is why this is an important time to remind graduates of the opportunities to support the Law School with a bequest or other planned gift opportunity."

The Law School Foundation only recently launched a legacy program to recognize alumni/ae and friends who include the Law School Foundation in their estate plans. "I recently added the Law School as a beneficiary in my will. This simple act today can play an important role for the long term future of the Law School," McKenney says. "I urge every graduate to consider adding the Law School Foundation as a beneficiary of his or her estate."

**Dorothy Wentworth '94**, chair of the Foundation's Resources Committee, points out that bequests from graduates have supported many excellent law schools like Maine Law. "Including a bequest in your will is a great way to continue the benefits provided by your Annual Fund gifts," adds Wentworth.

In addition to encouraging bequests, the Foundation is exploring the possibility of offering gift annuities to alumni/ae. With a gift annuity, the donor (and a second person, if desired) will receive annual payments for their lifetimes, much of which is tax exempt. The donor will also receive a substantial income tax deduction when he or she makes the initial gift. Annual annuity payments are guaranteed by the Law School Foundation, which currently has almost \$3,000,000 in assets.

Wentworth, who has a background in trust and estate planning, notes that you do not have to be older (over 60) to set up a gift annuity. "The purchase of a gift annuity may provide financial assistance to a family member, or you may want to purchase a deferred annuity whose payments will not begin until some time in the future."

The Legacy Society's members include anyone who notifies the Foundation that he or she has provided for the Law School in his or her estate plan, as well as anyone who creates a deferred gift (such as a gift of life insurance or a gift annuity) during his or her lifetime.

You can find additional information on the Legacy Society, bequests, or gift annuities at [http://www.minelaw.maine.edu/planned\\_giving\\_bequests.aspx](http://www.minelaw.maine.edu/planned_giving_bequests.aspx) or by contacting the Law School Alumni Office at (207) 780-4342. ■

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# Curricular Innovation

**INTEGRATING THEORY AND PRACTICE IS ONE OF THE STRENGTHS OF THE** Maine Law experience. As a further means of connecting its core academic enterprise with the worlds of practice and policy, the Law School instituted a new program of “bridge courses” during the spring semester. These short courses are one-credit offerings, ordinarily taught for four weeks by experienced judges and practicing attorneys in their areas of expertise.

“Bridge courses widen the range of our curriculum and enable students to sample slices of innovative legal practice,” said Dean Peter Pitegoff. “Moreover, they provide a substantive opportunity for bench and bar engagement with the Law School.”

The program began modestly in the spring, with four new courses. Dean Pitegoff anticipates expansion of this program in the future, during the academic year and perhaps with a more substantial cluster of bridge courses in the summer term.

## Bridge Courses Offered During the Spring Semester:

### **Ocean Advocacy**

This course explored the theory and practice associated with effective ocean advocacy.

*Instructor: Roger Fleming, Senior Attorney, Conservation Law Foundation*

### **Digital Discovery and E-Evidence**

This course provided an introduction to the technology, law, and strategies implicated in the discovery of electronically stored information.

*Instructor: Joel Wuesthoff, Senior Consultant, Ibis Consulting, Inc.*

### **Software Licensing and Copyright**

This course covered copyright and contract law issues relating to software.

*Instructor: Peter J. Guffin, Partner, Pierce Atwood LLP*

### **Computer Crimes**

Computers are used to commit crimes and to store evidence of crimes. This course examined procedural and substantive issues relating to those crimes.

*Instructor: George (Toby) Dilworth, Assistant U.S. Attorney*

## Alums on Campus

**Michael Saxl '98** visited Professor Alison Rieser's Legislation class in December, during which he chaired a mock committee hearing and work session on a student-drafted bill to amend Maine's lobbying regulation laws.

A consultant with Verrill Dana LLP in Augusta, Saxl was elected to the Maine House in 1995. He served as majority whip, majority leader and Speaker of the House until he was term-limited out in 2002.



(TOMNEY CONTINUED.)

as to provide legislative initiatives and strategies to help combat international and domestic terrorism.” I worked to help fulfill that mission,” he said. “It was a great experience.”

Tomney, who graduated summa cum laude from the University of New England in 2000 with a B.S. in Organization Leadership, begins his Honors position with the DOJ in October.



**Rebecca Hershey '07 is a Maine Law student who found her voice — and her purpose — early in life.**

Originally from Brooklyn, New York, Hershey grew up in the Central Maine town of Readfield, where, according to a U.S. Census estimate in 2000, only .1% of the population is black or African-American.

As a youth, Hershey, who is black and Latina, was able to find camaraderie through the Portland branch of the NAACP. In 1994, she left Maine for college, ending up at Cornell University, where she earned a degree in ethnic politics. After graduation, she campaigned against racial profiling for the American Civil Liberties Union headquarters and decided to return to Maine for law

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**(HERSHEY CONTINUED.)**

school and to rejoin the organization that meant so much to her growing up.

Today, Hershey is a member of the NAACP Portland's executive board and has been the MC of the group's Martin Luther King, Jr. Annual Breakfast Celebration for the past nine years. This year, she chaired the planning committee for the MLK Observance Week for the first time. Turnout at the week's events exceeded even Hershey's expectations.

"Overall we had about 2,000 people attend our Music and Gospel Concert, Interfaith Dialogue, and 25th Annual Martin Luther King Breakfast. We strive to honor Dr. King by encouraging community participation and publicly setting our goals for the year ahead as a civil rights organization," she said.

At Maine Law, Hershey is the president of the Black Law Students Association (BLSA), a group which focuses on the professional career goals of its membership, while working to maintain a connection between the Law School and the community.

"We try to foster more access to law school from under-represented communities. The interest is there, but there are also roadblocks throughout the information, application, and acceptance process. We can help negotiate some of those," she says.

BLSA has taken a proactive role in reaching out to its audience. Last spring, the group teamed up with Admissions Office for a program that invited high school and college students to the Law School to talk about the circumstances and the needs of students of color in legal education.

Building on the success of that program, BLSA is working on a pre-college counseling program for minority students who normally do not have access to such help.

This summer, Hershey will be working at Johnson & Webbert LLP in Augusta, a small private firm specializing in civil rights.

Although, she has not made specific plans after her 2007 graduation, she says: "My primary goal is to be able to advocate for people who do not have access the system."

**New Library Director**

**CHRISTOPHER KNOTT WILL** begin work as the new director of the Garbrecht Law Library in July. Knott, who replaces William Wells, most recently served as Associate Director for Patron Services and Adjunct Professor at the Georgetown University Law Library.



"I am eager to join the University of Maine Law School community. It is a great honor to be invited to join the librarians, faculty and students who are guiding this fine law school into the future."

Knott previously served as the head of Public Services at Columbia Law School Library and has worked as a commercial litigator. He also has taught courses in advanced legal research at Columbia Law School and Fordham Law School. Knott is co-author of *Where the Law Is: An Introduction to Advanced Legal Research*, the second edition of which is due to be published this spring. In addition to his role as the Law Library Director, Knott will teach courses in legal research.

Knott holds his B.A. from the University of Iowa; his J.D. from the University of Michigan; and his M.L.I.S from Indiana University. ❧

**Alumni-Student Mentoring Program**

More than 70 students and alumni/ae participated in the Law Alumni Association's revitalized Alumni-Student Mentoring Program this winter. Each student was matched with an alumnus/a who practices in a concentration area and geographic area in which the student is interested. The program's objective is offer students—through contact with an alumnus/a mentor—practical advice and insights into legal careers and the legal community. In March, mentors met their mentees at a lively reception in the Law School's Berman Lounge.

If you are interested in mentoring a student, please email [lawalumni@usm.maine.edu](mailto:lawalumni@usm.maine.edu). ❧

**Below:**

(l to r) Mentor Charlie Mitchell '02 with his mentee Megan Bozick '08

**Below, right:** (l to r) Mentor Rachel Bouchard '96 with her student mentee Steven Kang '06



## Visiting Professor



**LAURA S. UNDERKUFFLER**, A professor at Duke University Law School, will be serving as a visiting professor in the fall, teaching Property Law to first year students. This is the second time Professor Underkuffler has taught at Maine Law; her prior visit was in 1999.

"I had a fantastic experience when I taught at Maine before, and I am delighted to have the chance again. The Maine Law School is an exciting and unique place for students, teachers, and scholars. I am looking forward to participating in every part of the community," she says.

Professor Underkuffler joined the Duke Law faculty in 1990 and has taught at Harvard, the University of Pennsylvania, and Georgetown. She has published numerous works, both in the United States and abroad, in the fields of property theory, constitutional law, and the role of moral decision making in law. Also, she has been involved in international projects concerning property rights and regime change, and the problem of corruption and democratic governance. ◀◀

## Hon. Leigh Saufley '80 Receives WLA Award

Maine Supreme Judicial Court **Chief Justice Leigh Saufley '80** was presented with the Women's Law Association's Annual Outstanding Alumna Award on November 22, 2005.

The event was held at USM's Glickman Library in Portland. More than 75 people were in attendance, including judges and partners at local law firms. **Hon. Susan Calkins '70**, Associate Justice of the Maine Supreme Judicial Court, introduced the Chief Justice, who gave a great speech.

The event raised \$2,200 for WLA Scholarships.

*The Women's Law Association was developed in response to the increased awareness of the impact of the law on women and the impact of the growing number of women attorneys on the law. Through its educational activities, the WLA encourages the development of a network among women at the law school, women practitioners in all branches of the legal field, women in the judiciary, and organizations in the state that are concerned with issues affecting women.* ◀◀



**Below:** (l to r)  
Margaret Wood '07 (Secretary), Rachel Violette '07 (Treasurer), Hon. Leigh Saufley '80, Nancy Walworth '07 (Co-President) and Lindsay Hocking '07 (Co-President)

## Student Story

### Justin Weiss '06 has ambitions of Olympic proportions.

While the rest of us sat at home watching XX Olympic Winter Games in Torino, Weiss was there—playing an active part in this historic event—serving as National Olympic Committee Relations Manager. In this role, he was responsible for all communications and daily operations planning for the Games participation of Non-European countries.



"I worked primarily with the head of each country delegation as the centralized point of contact," said Weiss. "Countries contacted me with questions or urgent open issues, and I resolved the problems within the Organizing Committee and replied back on behalf of the organization." Such issues could span within a single day across doping control matters, brand protection and uniform approval, accreditation and access permits to various secured venues, visa and immigration matters for non-EU citizens, sport qualifications, delegations registration, host broadcasting rights and protocol.

Weiss became involved with the Olympic movement in 2000, after completing his Peace Corps service in West Africa. The Salt Lake Organizing Committee for the XIX Olympic Winter Games contacted him and asked him to work as a French/English communications manager.

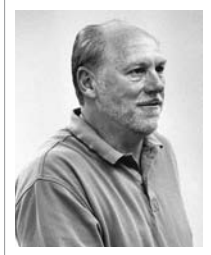
"The experience in the Winter Olympic environment gave me a foundation and a set of contacts that allowed me to return to another position within the Olympic movement," he said.

Weiss, who holds a B.A. in Political Science and Music and an M.A. in French from Middlebury College, took time off from his studies at Maine Law to participate in the Games. He will graduate at the end of summer session in August and would like to find a position that integrates his international and criminal law interests, his foreign language skills, and his affinity for sports.

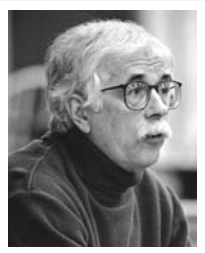
"I think a position in the Olympic movement with a focus on brand protection or doping control might be good fits," Weiss says. ◀◀

## Academic Publications

**Professor David Cluchey** has revised his chapter “Antitrust” for the seventh edition of *Legal Medicine*, a popular medical school textbook. Professor Cluchey wrote the original chapter with **Edward David, M.D. ’87**.



**Professor Orlando Delogu’s** article



“Kelo et al v. City of London—Wrongly Decided, and a Missed Opportunity for Principled Line Drawing with Respect to the 5th Amendment’s Taking Clause” is forthcoming in the *Maine Law Review*.

**Professor and Associate Dean for**

**Faculty Development Lois R. Lupica’s** article “Legislative Messaging and Bankruptcy Law” is published in the *University of Pittsburgh Law Review* (2006).

**Professor and Associate Dean for Academic Affairs Jeffrey Maine**

published “Tax Considerations of Domain Name Acquisitions and Web Site Development” in the *Practical Tax Lawyer* (Winter 2006). He also published “2005 Cumulative Supplement” to the treatise *Intellectual Property Taxation: Transaction and Litigation Issues* (Bureau of National Affairs, 2003), and his article “Taxing the New Intellectual Property Right”—published in the *Hastings Law Journal*—was reprinted in *The Monthly Digest of Tax Articles* (December 2005).



**Professor Martin Rogoff’s** article “Application of Treaties and the Decision of International Tribunals in the U.S. and



France: Reflections on Recent Practice” is forthcoming in the *Maine Law Review*.

**Associate Professor Deborah Tuerkheimer’s** article

“Conceptualizing Violence Against Pregnant Women” is forthcoming in the *Indiana Law Journal*.

## Professor Orlando Delogu Assumes Emeritus Status

**FOR A MAN WHO IS KNOWN FOR HIS PASSIONATE** speeches, for his activism, and for his skilled classroom oratory, Professor Orlando Delogu is uncharacteristically silent. He has just been asked how he would like his 40-year tenure at Maine Law to be remembered, and after several more moments pass, he speaks.

“I guess I’d like people to think that I care about students and tried, in a wide variety of ways, to help serve their needs. I’d like them to think I was fair and open, that they could come in and talk and that I would listen and offer to them both respect and some sensible responses.”

**Anne Poulin ’73**, now a law professor specializing in criminal procedure at Villanova University School of Law, was Professor Delogu’s research assistant. “He really drew me into his excitement about the topics he was working on, which had to do with regional solutions to environmental problems,” she remembers. “He was a wonderful mentor. One of the things I have modeled on Professor Delogu in my own career is my openness to my students.”

In the community, Professor Delogu is widely-known for his outspokenness and sense of justice. “I’d like to be thought of as a person who was unafraid, who took on some controversial issues.” His resume reads like a mini-history of challenges the State of Maine has faced throughout the past four decades. Professor Delogu was actively engaged in drafting pioneering environmental protection legislation for the state legislature; he was a founding member of the MCLU; he served as a DEP board member applying and enforcing state environmental laws; he was project advisor to Ralph Nader’s Maine Pulp and Paper Industry Study; he worked closely with a citizens group to pass Portland’s Waterfront Initiative; and later, he served on the Portland City Council and Planning Board, working closely with the council on the Portland Waterfront Initiative.

It is safe to say that in the 40 years since graduating from the University of Wisconsin Law School and coming to Maine, Orlando Delogu has been anything but idle. “Most of the people you work with out there understand the Law School provides an opportunity to be available not just to students, but to the larger community that it serves,” he says.

Professor Delogu recalls being wooed to Maine in 1966 by then-Dean Edward S. Godfrey, whom he remembers with great fondness. “Ed was both supportive and protective. ▶

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## FACULTY NOTES

To me that was his long suit. To a person like myself who is something of a gadfly—and I've never shrunk from either the word liberal or gadfly—it made a huge difference to know that I had his support."

In the late 1960's, Delogu's at times controversial stance made the young law professor some enemies, as well. The environmental movement was taking off, and the Androscoggin River had just been featured on the cover of *U.S. News and World Report* as one of the ten dirtiest rivers in the country. Delogu remembers, "Everyone was waking up, saying, 'God, we've got to change the paradigm here!'" In this climate, Delogu worked tirelessly to draft laws and battle environmental ills for the Maine DEP. "There are some people who respect what you're trying to do, your outspokenness and your toughness, and the fact that you've done your homework and are not able to be bullied away. But there are other people whose pocket book you may be affecting."

Professor Delogu recalls an occasion when he was invited to speak at the Pulp and Paper Union's Annual Luncheon. During the course of his speech, he told the audience of largely paper mill workers that they needed to rise up and take management to task for the way the paper companies were polluting the ambient water and air, and polluting the in-plant environment as well.

After he had finished, "There was a smattering of applause and someone yelled, 'Who asked this guy to speak, anyhow?'" The next day, Dean Godfrey received some complaints. Professor Delogu remembers being called into the Dean's office and told, "You've got them pretty riled up. Keep doing what you're doing, but you better damn well make sure that two and two doesn't equal five." Godfrey's support inspired Delogu to continue fighting for what he believed in while doing his homework on the issues.

His efforts, and those of like-minded people in the state, paid off. Within the first half dozen years that Delogu was active in Maine, from the late 60's into the early 70's, air pollution control laws and water pollution laws were passed, LURC and the DEP (then called the Environmental Improvement Commission) were created, and wetlands and solid waste handling laws were put into place.

"It was exciting to be at the frontal edge of that burst of energy. When the governor [Ken Curtis '58] appointed me to be a member of the DEP, I spent five years teaching my classes, doing research and writing, running around the state as a member of the DEP enforcing these first generation environmental laws, still writing other ▼



Professor Delogu teaching Environmental Law in the Moot Court Room

### Professor and Class of 1973/Glassman Faculty Research Scholar Jennifer Wiggins

published "Race, Torts, and the Value of Injury, 1900-1949" in the *Howard Law Journal* (2005).



### Edward S. Godfrey

Professor Donald Zillman's article "Where Have All the Soldiers Gone II?" is forthcoming in the *Maine Law Review*.



## Scholarly Presentations

### Associate Professor Christine Galbraith

was on a panel in January entitled "The Writer and the Law: Navigating the Maze of Copyrights, Literary Contracts and Negotiation," as part of the Stonecoast MFA in Creative Writing's Winter 2005-2006

Residency. Her presentation focused on copyright basics for writers. In February, Professor Galbraith was on a panel entitled "Copyright in the Classroom: What You Should Know about Using and Creating Educational Materials," sponsored by USM's Center for Teaching.



In February, **Professor and Associate Dean for Faculty Development Lois R. Lupica** was the Randall-Park Colloquium Speaker at the University of Kentucky College of Law. Her presentation was entitled "Consumer Finance Law and the

Reinforcement of Class Structures." In March, Professor Lupica presented a paper at the New York Law School Faculty Scholarship Exchange entitled "Legislative Messaging and the New Bankruptcy Legislation."

**Professor and Associate Dean for Academic Affairs Jeffrey Maine** presented "Taxation of Intellectual Property" in December at John Marshall Law School in Chicago.

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In October, he presented “Taxing the IP Development and Technology Transfers” at Howard University School of Law in Washington D.C.

**Dean Peter Pitegoff** participated in Columbia Law School’s National State Attorneys General Program symposium on “Oversight & Regulation of Charitable Organizations” in February.

#### Associate Professor Deborah

**Tuerkheimer** presented a paper in February “Incidents and Injuries: Criminal Law’s Failed Response to Domestic Violence” as part of St. John’s Distinguished Scholar Series.



#### Professor and Class of

#### 1973/Glassman Faculty Research Scholar Jennifer

**Wiggins** spoke about her race and torts work at an international conference at the University of Denver College of Law in April.

### Public Service



**Visiting Clinical Professor D. Jill Green** was a presenter at the 2005 Judicial Guardian Ad Litem Core Training in November. She is also on the steering committee of the Lewiston Domestic Violence Case Coordination Project.

**Rita Heimes**, Director of the Center for Law & Innovation, and **Heather Sanborn '07** updated the handbook *Harbor Management: A Legal Guide for Harbormasters and Coastal Officials* this spring.



**Assistant Professor H. Cabanne Howard** presented at a seminar in April called “What You Need to Know about Public Records and Open Meetings in Maine.”

**Professor Colleen Khoury** has been invited to join the Board of Editors of the *Journal of Legal Education*.

legislation for the governor’s office...my wife, Judy, thought I was crazy, my kids probably thought that I should have been around more.”

Colleague Professor Martin Rogoff, who joined the law faculty in 1972, remembers just how active Delogu was. “When he came to the Law School, he was one of the first people to teach environmental law in the country, one of the pioneers nationally in developing this field. Both inside and outside of the school, he was always very busy and



**Right:**  
Professor Orlando Delogu running in the Annual Road Race, an event he started in 1978.

involved,” said Professor Rogoff. “In the midst of all that activity, he somehow found the time to organize the Annual Law School Road Race. Even now, he’s here from early in the morning until late on most days, and on weekends.”

Professor Delogu also worked diligently inside the Law School for change. In the mid-1970’s, he was active in admissions, faculty recruitment, and in the American Association of Law Schools (AALS). After Maine Law had earned its accreditation in 1966, “we had to show we deserved it by participating in conferences, publishing, getting involved in the AALS. It was an exciting time in the Law School’s history.” There were also a lot of firsts: the first students to get clerkships at the Law Court level, the first Maine Law grads to get taken up by the bigger firms. And “we began taking in larger and larger numbers of women students, in the mid-70’s, which was such a healthy thing for the school.” Delogu participated actively in nearly every arena of the Law School.

L. Kinvin Wroth joined the faculty in 1964, was Dean from 1978 to 1990, and now teaches at Vermont Law School, where he was Dean from 1996 to 2004.

“Orlando hit the ground running in 1966. The feistiest and youngest of our feisty young faculty, he was a major force in the education of the 75 or so students that made up the School when he came,” Wroth recalls. “He has never let ▶

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## FACULTY NOTES

growing professional stature impair the clarity and direction of his public vision or the loyalty and energy with which he has served his students, his colleagues, and the institution.”

In the 1980's Professor Delogu began to turn his attention to local government. He thought seriously about running for local office and ultimately did. He was on the Portland City Council and chaired a number of committees, took a seat on the planning board and eventually became chair.

“I regard all of those activities with being symbiotic with what I did at the Law School,” he says. “Experiences I had become useful for students, useful in terms of bringing real examples to the classroom of the cold cases we were looking at. The law is happening right under their noses. I think all of the professors here try to illustrate this to their classes.”

One of the contributions to the Law School of which Professor Delogu is most proud is his part in recruiting consistently excellent faculty. His eyes light up with unreserved enthusiasm when asked about the importance of this endeavor. “Going out and finding bright young faculty, allowing them the freedom to do what they want to do, what interests them—that’s the future of the School. Encouraging younger colleagues to be excellent in the classroom, in their writing, in involving themselves in the community, in these issues in the real world—that’s the strength of the School.”

Associate Professor Deborah Tuerkheimer, a faculty member who was hired in 2002, was immediately impressed with Professor Delogu’s passion for the Law School and its objectives.

“Orlando’s love for the Law School has impressed me since the day we met,” she says. “His commitment to the institution as a place of excellence is unwavering, and—from the perspective of a relative newcomer—particularly inspiring. Orlando has always encouraged me to engage fully with my scholarship, service and teaching. He will undoubtedly continue to contribute to the Maine Law community in his unique, Orlando-esque way.”

Professor Orlando Delogu reflects, “Forty years... whenever I roll that number off my tongue, it has the sound of being a considerable period of time. I’ve seen eight or nine governors, cannot count how many chancellors of the system, and all of the deans of the Law School. You have the feeling that you’ve paid your dues, that you haven’t been a fly-by-night.” ❧



Professor  
Orlando Delogu  
and former  
Law Alumni  
Association  
President  
Jim Haddow '86  
at 2004  
Commencement

### **Professor and Associate Dean for Faculty Development**

**Lois R. Lupica**, as the Creditor and Debtor’s Rights Section Chair, organized a program at the Association of American Law Schools (AALS) Annual Meeting in Washington, D.C. titled “Beyond Theory: Empiricism and Creditors’ and Debtors’ Rights.”

### **Professor and Associate Dean for Academic Affairs**

**Jeffrey Maine** presented “Recent Federal and State Tax Decisions” in November at the Ninth Annual Maine Tax Forum in Augusta.

**Associate Professor Deborah Tuerkheimer** spoke to the Maine Coalition to End Domestic Violence about “Improving Maine’s Response to Domestic Violence” in January. Professor Tuerkheimer also has been invited to be a plenary speaker at the National Conference of the National Coalition Against Domestic Violence this summer. Her session is entitled “Changing the Face of Domestic Violence Laws to Reflect Battered Women’s Realities.”



**Professor Thomas Ward** is working on a pilot project for the United States Patent and Trademark Office aimed at integrating the organization’s database and the state UCC databases from Maine, New Hampshire and Massachusetts.

**Nancy Wanderer '90**, Director of the Legal Research and Writing Program, participated on a panel at the Maine State Bar Association’s Annual Meeting in January, titled “The Art of Written Advocacy: Drafting Persuasive, Concise, and Creative Legal Briefs and Memoranda.”



### **Professor and Class of 1973/Glassman Faculty Research**

**Scholar Jennifer Wiggins** testified in Augusta on the Maine Parentage Act, which was before the Judiciary Committee of the Maine Legislature.

CONTINUED ON NEXT PAGE.

# J. Trevor Hughes '95: An International Privacy Pioneer

## Professor Melvyn Zarr

made a presentation to the Maine Federalist Society on



the meaning of "Federalism," and in February, he made a presentation to USM's Honors Symposium on the recent federal case on "Intelligent Design" in Pennsylvania.

**Edward S. Godfrey Professor Donald Zillman** provided regular commentary on WVON about the Supreme Court nomination process and also spoke to the Portland Rotary Club about the topic.

## Awards

### Professor Colleen Khouri

received the Howard H. Dana, Jr. Award from the Maine Bar Foundation during the Maine State Bar Association's Annual Meeting in January. ❧



**J. TREVOR HUGHES '95 MAY WELL BE** the nation's leading expert on privacy issues as they relate to the Internet. He heads the International Association of Privacy Professionals (IAPP) and two Internet industry trade group associations. He is frequently sought out by the media on a wide range of topics from spam, to spyware, to Internet privacy. He testifies regularly before Congress, the Federal Trade Commission and the European Union. The IAPP's 2,300 person membership includes privacy professionals from industry giants such as Microsoft, IBM, Procter & Gamble, Nationwide, Eastman Kodak and Bank of America. This spring, his travels took him to Australia, Singapore and China where he set up new IAPP chapters and spoke with government regulators on informational privacy issues.

Despite all these accomplishments, Hughes says his greatest source of satisfaction is that he has been able to build his organizations, which include a talented team of professionals, in York, Maine. "Twenty years ago, you would have to be in New York or Washington to build this type of organization," he said. "But, today we can run our associations from York and be as responsive as ever to the demands of our members. We provide great advocacy and service, while enjoying a wonderful work environment," noted Hughes with his co-workers' two Labrador Retrievers next to him in his office.

Hughes did not embark on a career to become a recognized privacy expert. His first job out of Law School in 1995 was with UnumProvident Corporation where he had interned as a law student. When the company was preparing to launch its first website, he volunteered to provide legal support. "I have always been comfortable with technology," he said, "but I am not really a technical person."

In 1999, his experience at UnumProvident led to a job as Director of Privacy and Corporate Counsel for Engage, a large, high tech startup involved in Internet advertising. At the time Engage and other similar firms set up a trade group association called the Network Advertising Initiative (NAI) to develop best practices and standards as they related to Internet advertising. "I was right at the very forefront of a national and international debate on Internet privacy issues," Hughes says.

Engage did not survive the dot com bust in 2001 but Hughes went on to become the Executive Director of the NAI. Soon afterward, he took on the additional role of Executive Director of the IAPP — which now has members in 23 countries. He also serves as Executive Director of the Email Sender and Provider Coalition (ESPC).

In his role with the two trade group associations he regularly advocates on behalf of major email senders and network advertisers. In an age where consumer groups are seeking ▶

tighter regulation of Internet email and advertising, Hughes worries that “we might be throwing the baby out with the bath water.” He describes his approach as a “corporate environmentalism.” Hughes says, “We work to fight spam and other online abuses. At the same time, we want to protect these channels for legitimate commerce.”

Members of his organizations must adhere to high privacy standards including offering recipients the right to opt out, and they must fully identify who is sending the message. “We often find ourselves working in concert with consumer rights organizations; it is just that we approach the issues from a decidedly corporate perspective,” he said.

In the age of connectivity, privacy issues are extremely important to many companies. “Increasingly, companies are hiring a chief privacy officer to oversee the development of privacy programs,” Hughes said. “Half these privacy professionals are lawyers and half come from other disciplines.” The IAPP was established to serve the professional needs of this group. The organization publishes a newsletter and disseminates information. It holds well-attended international conferences and offers a certification program for professionals in the privacy field.

The team that Hughes leads consists of 14 other professionals and he expects to be adding several more staff members this year. His legal research director is **Virginia Lee '05**

who worked at the NAI as an intern before graduating from Maine Law. Two current law students also work as interns, **Sean Sweeney '06** and **Felicity Soles '07**. This summer, the 1995 graduate will become Professor Hughes as he will teach a seven week course in “Privacy Law in the Digital World” at Maine Law.



**Above:**  
J. Trevor  
Hughes '95 and  
Virginia Lee '05  
at their offices.

Hughes has lectured at Boston College's Law School and he is currently writing, with co-author Reed Freeman, *Consumer Privacy Law*, to be published by CCH in 2006.

He lives in York with his wife, Gabriella, and two children, Malcolm (7) and Dinon (5). An avid soccer player, he continues to play in the Portland area with a cadre of Maine Law alums, including **Carlos Diaz '94** and **Doug Britton '97**.

You can learn more about IAPP at [www.privacyassociation.org](http://www.privacyassociation.org), the NAI at [www.networkadvertising.org](http://www.networkadvertising.org), and the ESPC at [www.espcalition.org](http://www.espcalition.org). ❧

## On the Road

### Maine Law Admissions

Admissions Director Elaine Bourne is inviting alumni/ae to participate in Maine Law's recruitment efforts across the country. Each fall, the School's admissions staff takes to the road to promote the wonderful legal education provided by the University of Maine School of Law. Local alumni/ae are great points of reference for prospective applicants and are encouraged to volunteer at recruitment events.

**Below is a list of upcoming Law School Forums that will be attended by Maine Law admissions representatives:**

<b>July 16</b>	<b>Washington D.C.</b>
<b>September 9</b>	<b>Dallas</b>
<b>September 16</b>	<b>San Francisco</b>
<b>October 13-14</b>	<b>Chicago</b>
<b>October 19</b>	<b>Boston</b>
<b>October 21-22</b>	<b>New York</b>
<b>November 3-4</b>	<b>Atlanta</b>

In addition, Maine Law admissions representatives will be visiting Law Fairs at numerous colleges and universities across the country. Upcoming Law Fair visits will be posted on the Maine Law website at [www.minelaw.maine.edu](http://www.minelaw.maine.edu) in late August.

If you would like to help, please email the Admissions Office at [mainelaw@usm.maine.edu](mailto:mainelaw@usm.maine.edu) or call (207) 780-4341. ❧



1964

*Class Agent: Henry N. Berry, III*  
**lawalumni@usm.maine.edu**

1965

*Class Agent: Richard W. Elliott*  
**lawalumni@usm.maine.edu**

1966

**lawalumni@usm.maine.edu**

1967

**lawalumni@usm.maine.edu**

1968

**lawalumni@usm.maine.edu**

1969

*Class Agent: Craig H. Nelson*  
**cnelson@doynelnelson.com**

1970

**lawalumni@usm.maine.edu**

1971

**lawalumni@usm.maine.edu**

1972

**lawalumni@usm.maine.edu**

1973

*Class Agent: Ellsworth T. Rundlett, III*  
**derry@maine.rr.com**



Paul Mason '76  
 pictured  
 with his wife,  
 Nazareth, in  
 Brazil.

**Hon. Peter J. Goranites** of the Maine District Court in Portland has been appointed as an alternative member of the Committee on Judicial Responsibility and Disability.

**Richard W. Smith** has joined the real estate law practice group at the Portland law firm of Bernstein, Shur, Sawyer & Nelson. Smith, who lives in Falmouth, was formerly vice president, state manager and counsel for Ticor Title Insurance Co. in Portland.

1974

*Class Agent Needed*  
**lawalumni@usm.maine.edu**

**Martha Howell** writes: "I left Citizens Bank in January '04. I'm now with M&M Consulting, which is generally located here in Maine. We actually have no offices, but spend nearly all our time with our small bank clients across New England. It's great! I'm still doing regulatory compliance, but I had found myself specialized down to large commercial lending for big banks. It got old. Now I'm working with both banks and credit unions on all facets of

compliance. Our clients are from tiny 20 people banks up to maybe \$1 billion in assets."

1975

**lawalumni@usm.maine.edu**

**Hon. John V. Romei** of the Maine District Court in Machias was appointed by the Maine Supreme Judicial Court to the Committee on Judicial Responsibility and Disability.

1976

**lawalumni@usm.maine.edu**

**Jean Deighan** is serving on the board of directors for the Maine Community Foundation and as president of the Bangor Museum and Center for History board of directors. Deighan is founder and president of Deighan Associates, Inc. in Bangor.

**Paul Mason** is practicing in both Florida and Brazil. He is international counsel, commercial arbitrator, and mediator for Global Expansion Group in Miami, and also, of counsel to Bastos-Tigre, Coelho da Rocha e Lopes Advogados in Rio de Janeiro.

In September, **Paula Silsby**, Maine's U.S. Attorney, was honored at the University of New England with a Deborah Morton award, given to women of high distinction in their careers and in public service. Former winners include Hon. **Leigh Saufley '80** and former Dean Colleen Khoury.

**Mary Schendel**, assistant vice president and senior counsel at UnumProvident Corp., is serving on the board of directors at the Institute for Civic Leadership. Schendel lives in Cumberland.

**Kevin Tierney** of Falmouth has been elected chairman of the governance committee of the MLIG Variable Insurance Trust, a mutual fund of the Merrill Lynch Insurance Group.

1977

**lawalumni@usm.maine.edu**

Mediator and trademark lawyer **Peter Michaud**, of counsel to the Portland firm of Thompson, Bull, Furey, Bass & MacColl, has been selected as a member of the Panel of Neutrals of the International Trademark Association (INTA).

1978

*Class Agent: John R. Bass, II*  
**jbass@thomport.com**

**Eileen Epstein** is serving on the board of directors for the

Maine Community Foundation. Epstein, who lives in Falmouth, is a partner at Epstein & O'Donovan, LLP.

**Paula Singer** writes: "I am very busy at Windstar Technologies, Inc. (the software company that I founded 11 years ago with my husband Gary) where I am involved with the software design, support, and management duties and my client work at my law firm where I am now part-time. I now have over 40 published articles and 8 books which are distributed through trade organizations as well through Windstar's shopping cart."

1979

[lawalumni@usm.maine.edu](mailto:lawalumni@usm.maine.edu)

**Arthur Dingley, D.O.** has joined the staff of Evergreen Behavioral Services in Farmington. He was formerly the regional medical director for the Maine Department of Health and Human Services in Portland.

**Hon. Patricia Worth** spoke at the summer meeting of the Maine State Bar Association (MSBA) as part of a panel on best practices in family litigation.

1980

*Class Agent: Andrew J. Bernstein*

[abernstein@disabilityrms.com](mailto:abernstein@disabilityrms.com)

**Michael Currie** is serving on the board of directors for the United Way of Greater Portland. Currie is managing director at H.M. Payson & Co. in Portland.

In October, **Anita St. Onge** took a six-month sabbatical to research child custody in domestic violence cases in New Zealand. St. Onge is the director of domestic violence initiatives at USM's Muskie School's Cutler Institute of Child and Family Policy.

**Judith Fletcher Woodbury**, a partner at Pierce Atwood LLP in Portland, has been appointed to the board of Friends of Casco Bay.

Gov. John Baldacci has nominated **Nancy Ziegler** of South Portland for reappointment to the Board of Environmental Protection.

1981

*Class Agent: Lawrence J. Mullen*

[lmullen@wadacklaw.com](mailto:lmullen@wadacklaw.com)

1982

*Class Agent: Jeffrey Jones*

[jjones@jwlawfirm.com](mailto:jjones@jwlawfirm.com)

1983

*Class Agent: Heidi Osborn*

[hosborn@unumprovident.com](mailto:hosborn@unumprovident.com)

**Andrew Siket** has joined Cohen & Grigsby P.C. in the Naples, Florida as director of the firm's litigation group.

1984

*Class Agent: Thomas E. Powers*

[tpowers@fidelitytco.com](mailto:tpowers@fidelitytco.com)

**Jim Katsiaficas** has joined the law firm of Perkins, Thompson, Hinckley & Keddy in Portland as a shareholder. Katsiaficas was formerly a senior staff attorney at the Maine Municipal Association.

1985

[lawalumni@usm.maine.edu](mailto:lawalumni@usm.maine.edu)

**David Beneman** has been named the first federal public defender for the District of Maine. He has practiced with the Portland law firm of Levenson, Vickerson and Beneman since 1986.

**Valerie Stanfill** has joined Troubh Heisler in Lewiston. Prior to joining the firm, Stanfill served as a clinical professor at the Law School.

1986

*Class Agent: James B. Haddow*

[jhaddow@petruccellimartin.com](mailto:jhaddow@petruccellimartin.com)

**Paul Fillmore**, his wife **Audrey Delphendahl '85**, and their three children have moved from Frankfurt, Germany to the United Kingdom where Fillmore has started work as the head of financial institutions credit for the wholesale banking division for the Royal Bank of Scotland. He performed a similar role for Dresdner Bank in Germany for the past six years.

**Matthew Nichols** is working in the Portland offices of Nichols, Webb & Loranger, focusing his practice primarily on OUI cases and criminal defense.

1987

[lawalumni@usm.maine.edu](mailto:lawalumni@usm.maine.edu)

**Bruce Shibbles**, an associate at the Denver, Colorado law firm of Markussan, Green & Jarvis, PC, writes: "I'm out here in beautiful Colorado (although I miss the smell of the Maine salt air) and truly enjoying life these days. Hope all is well with my friends and colleagues from Maine and



Andrew Siket '83

the Law School. My door is always open if you find yourself out this way (and I can still be persuaded to recreate the fun of a Thursday night MLA meeting either in LoDo in Denver or Old Town in Fort Collins!).”

1988

*Class Agent: Ryan Stinneford*  
**RStinneford@PierceAtwood.com**

**Ellen Maher** has joined Cohen & Grigsby P.C. in Naples, Florida as director of the firm’s real estate group.

1989

*Class Agent: Michael K. Martin*  
**mmartin@petruccellimartin.com**

**Susan Schultz** has joined Portland firm of Givertz, Hambly, Scheffee & Lavoie, PA where she focuses on family law and adoption.

**Jill Tompkins** has been re-elected to another two-year term as president of the Eastern Tribal Court Judges Association and has been appointed to the Colorado Supreme Court’s Court Improvement Committee. Tompkins is a clinical professor of law and the Director of the American Indian Law Clinic at the University of Colorado School of Law in Boulder.

1990

*Class Agent: M. Thomasine Burke*  
**tburke@brownburkelaw.com**

1991

*Class Agent: Anne O’Donovan*  
**aeod@maine.rr.com**

1992

*Class Agent: Thomas G. Diebold*  
**tdiebold@yahoo.com**

**Mary** and **Randy Hawkes** write: “We welcomed our second daughter, Chloe Deirdre Hawkes, on July 20, 2005. Our 10-year-old, Claire, loves being a big sister!”

1993

*Class Agent: Walter F. McKee*  
**wmckee@lipmankatzmckee.com**

**Amy Tchao** co-edited the third edition of *Maine School Law*, which covers all aspects of school law in Maine. The publication was written by 20 members of Drummond Woodsum & MacMahon, where Tchao is a partner.

1994

*Class Agent: Carlos A. Diaz*  
**carlos.diaz@maine.gov**

Portland sports agent **Peter Carlisle** represented more than 20 athletes who competed in the 2006 Winter Olympic Games.

**John Howland** has relocated to New Haven, Connecticut. He is executive vice president at Southern Conn. Bancorp, Inc.

**Bing Wang** has joined Baker & Daniels LLP’s China practice as counsel in the firm’s Beijing office. He focuses his practice on foreign direct investment in China, mergers and acquisitions, as well as commercial, telecommunications, employment and tax law matters.

1995

*Class Agent: Michael D. Traister*  
**mtraister@mpmlaw.com**

**John Gause** is working as commission council for the Maine Human Rights Commission in Augusta.

1996

*Class Agents:*  
**Michael R. Bosse, mbosse@bssn.com**  
**Daniel J. Mitchell, dmitchell@bssn.com**  
**Ronald W. Schneider, rschneider@bssn.com**

In July, President George W. Bush approved the appointment of **Michelle Kane** as a Veterans Law Judge at the Board of Veterans’ Appeals in Washington D.C. Judge Kane and her husband, Michael, live in Maryland with their two children, Meghan and Molly.

1997

*Class Agent: Kurt W. Adams*  
**kurt.adams@maine.gov**

**Christopher Bond** of Cape Elizabeth is working in the business department at Saint Joseph’s College as assistant professor of business administration.

**Joseph Coffey** is practicing family law for DNA-Peoples Legal Services in Farmington, New Mexico.

**Chuck Dow**, and his wife, Erin, welcomed their third child, Phoebe Ann Dow, into their family on July 23, 2005. Phoebe joins brothers Patrick and Ian at the family’s home in Winthrop. Dow works as director of communications and legislative affairs for Attorney General **G. Steven Rowe ’87**.

**Nancy L. Morin** has opened her own practice in Brunswick.



Ellen Maher '88



Bing Wang '94

1998

*Class Agents:*

*Darcie McElwee, [darciemac@alumni.bowdoin.edu](mailto:darciemac@alumni.bowdoin.edu)*

*Andrew R. Sarapas, [asarapas@verrilldana.com](mailto:asarapas@verrilldana.com)*

1999

*Class Agent: John Shumadine*

*[jshumadine@mpmlaw.com](mailto:jshumadine@mpmlaw.com)*

**Timothy Boulette** is serving on the board of directors for the Jewish Community Alliance of Southern Maine and the board of directors for Congregation Bet Ha'am in South Portland. He is an associate at Murray, Plumb & Murray in Portland.

**Scot Draeger** is working as Sr. Vice President in the general counsel's office of Citigroup Global in Portland. Draeger formally worked for the U.S. Securities and Exchange Commission in Washington D.C. **Michelle Giard Draeger** has transferred to the Boston office of the U.S. Securities and Exchange Commission where she is a senior counsel in the Division of Enforcement. The couple lives in Hampton, NH.

**Theodore Joyce** has relocated to Miami, Florida. He is a senior associate with PricewaterhouseCoopers, LLP.

**Dan and Robyn Salvin** became the proud parents of baby daughter Lillian Jane on May 10, 2005. Robyn writes: "Jack, our two year old son, is having fun being a big brother!"

**Susan Seager** is working as a media lawyer in the Los Angeles office of Davis Wright Tremaine LLP, a Seattle-based firm. She is representing newspapers, television stations, and individual reporters. Seager also has written some op-ed pieces in the *LA Times* and the *Daily Journal* and has taught media law classes at the University of Southern California's Journalism School.

**Marc Weintraub** was awarded the distinction of 2005 Associate Marketing All-Star. He is a partner at Steptoe & Johnson in Charleston, West Virginia.

2000

*Class Agents:*

*Jennifer Archer, [jarcher@krz.com](mailto:jarcher@krz.com)*

*Karen L. Wright, [kwright@bssn.com](mailto:kwright@bssn.com)*

**Virgilia Bryant** and Dr. Shane Bryant are pleased to announce the birth of their second child and daughter, Catherine Whitehead Bryant, on February 10, 2006. Catherine is the granddaughter of the **Hon. Joan Bryant-Deschenes '01**.

**Jessica Pecoraro** was named a 2006 "Rising Star" by *Minnesota Law & Politics* magazine. Pecoraro is an attorney with Rider Bennett, LLP in Minneapolis, where she is a member of the firm's litigation department.

2001

*Class Agent: Chadwick A. Weber*

*[chadwick.a.weber@smithbarney.com](mailto:chadwick.a.weber@smithbarney.com)*

**M. Jean McDevitt** has been promoted to senior manager in the tax department of Baker Newman & Noyes, an accounting and professional services firm in Portland.

2002

*Class Agents:*

*Karla Black, [karla.black@maine.gov](mailto:karla.black@maine.gov)*

*M. Katherine Lynch, [mklynch13@yahoo.com](mailto:mklynch13@yahoo.com)*

In October, **Karla Black** began her position as deputy legal counsel to Gov. John Baldacci. Black formerly worked for Devine, Millimet & Branch in Manchester, New Hampshire.

**Paul Crowley** is working as a trademark attorney in the United States Patent and Trademark Office in Washington D.C.

**Daniel Marra** has joined Marden, Dubord, Bernier & Stevens in Waterville.

**Charles Mitchell**, who serves as national legislative counsel for the American Civil Liberties Union (ACLU) in Washington D.C., spoke to the Law School's Student Bar Association as part of its Brown Bag Lunch Series in March. His talk covered a wide range of legal issues, including National Security and Immigration during the Patriot Act, Intelligence Reform Legislation, and Government Secrecy.

**Michelle Santiago** has joined the Waterville firm of Sherman & Sandy.

2003

*Class Agents: Natasha Woodland*

*[woodland@global.t-bird.edu](mailto:woodland@global.t-bird.edu)*

**Kenneth Albert III** is working at the law firm of Bonneau & Geismar in Lewiston where he focuses on health law for hospitals, nursing homes, and physician office practices in Maine.

**Anna N. Astvatsaturova** and **John Turcotte '00** were married on September 17, 2005 at Williston West Church in Portland. **Tiffany Strauchs Rad** was the matron of honor. The reception was held at Dunegrass Golf Resort in



Jessica  
Pecoraro '00



Charlie  
Mitchell '02  
and his sister,  
Emily  
Mitchell '08



Anna '03 and  
John '00 Turcotte





Patricia McAllister '04

Old Orchard Beach. They spent their honeymoon in the Mayan Riviera. The couple resides in Biddeford. Ms. Turcotte is working as Assistant Vice President and Compliance-BSA Manager at Pepperell Bank & Trust in Biddeford. Her work includes overseeing the institution's compliance program in accordance with the Bank Secrecy Act and its amendments to prevent and detect money laundering from illegal activities and terrorism. Also, she has co-authored an article titled "The Case for Prosecuting Iraqi Nationals in the International Criminal Court" forthcoming in the *International Legal Theory Journal* (Volume 10, Fall 2004).



Philip Saucier '04

**Dawn DiBlasi** has opened her own practice in Oakland.

**Dawn Harmon** has joined Perkins, Thompson, Hinckley & Keddy in Portland as an associate in the real estate and litigation departments. Prior to joining the firm, Harmon served as a law clerk for Maine Supreme Judicial Court Chief Justice **Leigh Sausley '80**.

**Katherine Joyce** has joined Perkins, Thompson, Hinckley & Keddy in Portland as an associate in the firm's litigation department, and the land use and environmental law practice group.

## 2004

### Class Agents:

**Katherine R. Knox**, [kknox@bssn.com](mailto:kknox@bssn.com)

**Laura K. Welles**, [lkwelles@hotmail.com](mailto:lkwelles@hotmail.com)



Brian Libby '05

**James Allen** has left the Washington State Attorney General's Office to become the district director for U.S. Congressman Jim McDermott (D-WA).

**Scott Houde** has joined Woodman Edmonds Danylik & Austin, P.A. in Biddeford as an associate in the civil litigation department.

**Patricia McAllister** is working as an associate at Verrill Dana LLP. Prior to joining the firm, McAllister served as a law clerk to Maine Supreme Judicial Court Chief Justice **Leigh Sausley '80** of the Maine Supreme Judicial Court.

**Neil J. Prendergast** has accepted a position at Shankman & Associates in Lewiston.

**Philip Saucier** is working as an associate at Verrill Dana LLP in Portland.

**Jennifer Thompson** has joined Skelton, Taintor & Abbott in Auburn as an associate. She formerly served as law clerk to Maine's Superior Court.



Uma Outka '05

**Isaac Wilhelm** has been selected to clerk for Justice Brian Burgess of the Vermont Supreme Court. His yearlong clerkship begins in August.

## 2005

### Class Agents:

**Seth Goodall**, [sagoodall@yahoo.com](mailto:sagoodall@yahoo.com)

**Devens Hamlen**, [deviehamlen@hotmail.com](mailto:deviehamlen@hotmail.com)

**Sonia Buck** has joined the law firm of Linnell, Choate & Webber in Auburn, where she practices employment law and commercial litigation.

**Christopher Dargie** has joined Perkins, Thompson, Hinckley & Keddy in Portland as an associate in the firm's business department.

**Jessica Emmons** has joined the law firm of Drummond Woodsum & MacMahon in Portland as a member of the firm's business services group practicing in the area of corporate law.

**Seth Goodall** accepted a position with Thompson, Bull, Furey, Bass & MacColl, LLC, PA in Portland, initially focusing on civil litigation and general business law issues.

**Stephanie Jazlowiecki** has joined the law firm of McTeague Higbee Case Cohen Whitney & Toker P.A. in Topsham as an associate.

**Brian Libby** is working as an associate at Verrill Dana LLP, focusing his practice in business law, specifically intellectual property.

**Lori Londis** is working in the litigation department at Bernstein, Shur, Sawyer & Nelson in Portland. She is focusing her practice on general litigation matters.

**Amanda Lynch** has joined the law firm of Germani & Riggle, LLC in Portland as an associate.

**Uma Outka** is working as an associate at Verrill Dana LLP in Portland.

**Stephen Rees Jr.** will be marrying Lillian Morris on May 20, 2006. Rees works for Icard, Merrill, Cullis, Timm, Furen & Ginsberg, P.A. in Sarasota, Florida.

**Jonathan Whitney** accepted a position with Judd Ulrich Scarlett & Dean, P.A. in Sarasota, Florida. ■■

## In Memoriam

Joel Freund '77

**Joel Freund '77** died on October 25, 2005 following a long illness. He was 56 years old.

After graduating from Maine Law, Mr. Freund practiced briefly before deciding to dedicate himself fully to the restaurant business, which he loved. He owned and operated the Back Bay Grill in Portland for 12 years. His philosophy for his guests was "The outside world is left at the door when you enter the Grill." Mr. Freund was known for making everyone feel comfortable at his establishment and went out his way to please his guests.

Family members say in addition to being the quintessential host, Mr. Freund enjoyed sailing, his dogs, board games and fine wine.

Richard P. Sullivan '72

**Richard P. Sullivan '72** died on December 22, 2005 after a year long battle with cancer. He was 63 years old.

Mr. Sullivan was born in Skowhegan in 1942. He graduated from Farmington State Teacher's College with a B.S. in education, and after teaching for a year, he received a draft notice and enlisted in the U.S. Army. In 1969, Mr. Sullivan left active duty, settled in Portland with his family and enrolled at the University of Maine School of Law. After graduation, he worked for two years with the Maine State Attorney General's Office as a prosecutor and served 12 years with the U.S. Army Reserves, retiring with the rank of major.

In 1974, Mr. Sullivan entered into private practice in Biddeford, specializing in criminal law. He was active in local organizations, serving as president of the Wells-Ogunquit Little League for five years; chairman of the Wells Planning Board; and a member of the Arundel Yacht Club.

James E. Millett '76

**James E. Millett '76** died unexpectedly on February 17, 2006. He was 56 years old.

Mr. Millett was born in Waterville in 1949. He attended Rossol College in Blackpool, England and received his B.S. from the University of Vermont, before attending the University of Maine School of Law.

After law school, Mr. Millett worked as Assistant District Attorney for Kennebec County and as the Waterville City Solicitor. He was a partner at the firms Wheeler, Arey and Millett, as well as, Sherman, Sandy and Millett before moving to Scarborough in 1985, where he was a partner with Desmond, Cooper, Anderson and Millett. In 1997, Mr. Millett, along with his wife and five children, moved to Chapel Hill, N.C., where he was employed by the Research Triangle Institute and the Best Western University Inn.

Peter Wiley '89

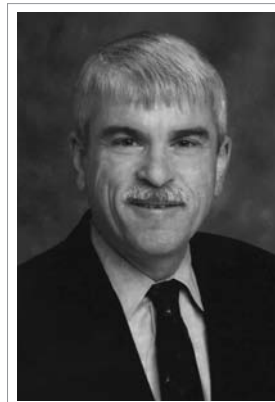
**Peter Wiley '89** died unexpectedly on March 6, 2006 while visiting his father on the Gulf Coast. He was 59 years old.

Mr. Wiley had a long record of government service, most recently serving as chief of staff for Congressman Tom Allen (D-ME). He previously worked for the National Governors Association and on Allen's 1994 campaign. He also served as chief operating officer of Gov. Angus King's administration and on the Board of Environmental Protection under Gov. Joseph Brennan.

Mr. Wiley and his wife, Betsy, cared deeply about the Law School. The couple has been providing a student scholarship for more than a decade.

**Gifts in memory of Peter Wiley may be made to:**

The Wiley Family Scholarship Fund for Single Parents  
University of Maine School of Law  
246 Deering Avenue · Portland, ME 04102



Peter Wiley '89

### Augusta Area Luncheon

Attendance was strong for the second straight year at Slate's in Hallowell, where the Alumni Association held its annual luncheon for alumni/ae in Central Maine. The event was held on October 5, 2005.

### Bangor Reception

On October 25, 2005, alumni/ae in Northern Maine gathered at the Isaac Farrar Mansion in Bangor for an evening reception with Dean Peter Pitegoff.

### Bath Area Luncheon

On November 9, 2005, alumni/ae gathered at Mae's Café in Bath for their annual luncheon.

### Dean's Welcome Reception

The Law Alumni Association formally welcomed Dean Peter Pitegoff at a reception in his honor on October 14, 2005 at USM's Abromson Center in Portland. At the event, which drew a record crowd, President **Tim Norton '88** introduced Dean Pitegoff and presented him with several gifts from the Association. Dean Pitegoff took the opportunity to thank all Maine Law alumni/ae, whom he said had been very welcoming.



### August Luncheon Left:

(l to r) Karen Kingsley '79, Dean Peter Pitegoff, Mary Lou Dyer '80 and Benjamin Townsend '90

### Bangor Reception Below:

(l to r) David Miller '97 and P. Andrew Hamilton '84

### Dean's Welcome Reception

Right: (l to r) Dean Peter Pitegoff and Tim Norton '88, President, Maine Law Alumni Association

### Bath Luncheon Below:

(l to r) J. Michael Conley III '70, Richard Lord '65, Richard Elliott '65 and Dean Peter Pitegoff



### Dean's Welcome Reception

Below Left: (l to r) Dennis '91 and Anne O'Donovan '91, Nancy Savage Marcus '91 and Steven Abbott '91

Below Right: (l to r) Hon. Leigh Saufley '80, Dean Peter Pitegoff and Hon. Vincent McKusick



## FROM THE PRESIDENT

### WHEN I FIRST JOINED THE LAW

Alumni Association Board of Directors, I thought of it as the group that ran the Annual Fund phone-a-thon who called me at dinner time asking for money. Little did I realize then, the *real* purpose of the Alumni Association.

My years on the Board have allowed me to see why our contributions—both monetarily and in terms of volunteer time—are imperative for the Law School to move forward. The Annual Fund campaign provides the resources for the true mission of the Alumni Association, making the University of Maine School of Law “A Place of Great Opportunity.” This slogan, adopted last year by the Alumni Association as its campaign theme, sums up in a few words what we seek to accomplish.

The principal mission of the Association is, of course, to facilitate and strengthen the bonds among alumni/ae, and between the alumni/ae and the Law School. However, the mission of the Alumni Association extends well beyond this primary goal and requires it to play a role in supporting the Law School administration in both the recruitment of new students and the placement of graduating students; in mentoring and financially supporting current students; and in providing a voice for the alumni/ae body with the Dean, the Law School Foundation, the Law School Board of Visitors and other elements of the Law School and University communities.

During the past year, the Alumni Association has been actively pursuing that mission. In response to a challenge laid down by Dean Pitegoff, the Annual Fund campaign goal has been increased by a dramatic 21% (a \$50,000 increase). I am happy to report that, through the hard work of Annual Fund Chair **Mike Martin '87** and a dedicated team of class agents, we are on track to



achieve that goal. Simultaneously, the Association is taking steps to create regional alumni/ae chapters to recognize the active Maine Law alumni/ae groups in places like Washington D.C., Boston and New Hampshire. These regional chapters can give the alums in those areas an identity, and they can serve as an active resource in support of student recruiting and graduate placement.

Making the Law School “A Place of Great Opportunity” is a mission well started but requiring continuing attention. As you enjoy this magazine, make note of the many accomplishments of your classmates and other alumni/ae. Find ways to become active in the many volunteer roles available through the Law School. Use the Association’s website ([www.minelawalum.org](http://www.minelawalum.org)) to post class notes, let us know of interesting events or accomplishments or just use the information you read here as an excuse to contact a classmate that you haven’t heard from in awhile.

On behalf of the Alumni Association Board of Directors, I would like to thank all of you for the many different roles that you play in keeping the Maine Law alumni/ae body an active and vibrant group, and a critical component in the long term success of the Law School.

— TIMOTHY NORTON '88  
PRESIDENT, MAINE LAW  
ALUMNI ASSOCIATION

*Maine Law*, the magazine of the University of Maine Law Alumni Association, is published twice a year. Issues are scheduled for the fall and spring. Please send items of interest to Maine Law Alumni Office, 246 Deering Ave., Portland, ME 04102, or e-mail items to [lawalumni@usm.maine.edu](mailto:lawalumni@usm.maine.edu). Additional Law School and alumni/ae news can be found at [www.minelawalum.org](http://www.minelawalum.org).

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We would like to extend our appreciation to the many people who contributed to this issue of *Maine Law*.

- Virginia Wright, who wrote two of the main feature articles.
  - Elisabeth Wilkins, who wrote the article on Orlando Delogu.
  - Toni DeLois of Purple Crayon Design for layout and graphic design work.
  - Allison Leslie Bowman who oversaw the publication and wrote and edited much of the material.
  - Other staff at the Law School for their editorial and proofreading assistance.
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### To Maine Law Alumni/ae and Friends of Maine Law

We hope you enjoyed this issue of the newly re-designed *Maine Law* magazine. Thank you for your feedback and suggestions concerning this publication. Our goal is to capture all that is special and unique about the Law School, the faculty, the students, and alumni/ae. You can help through your letters and e-mails. We hope to hear from you, and when appropriate, we want to share with our readers your successes and celebrations. Please write or send an e-mail to us.

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# 2006 Calendar of Events

## Upcoming Events

### June

(5) Burlington, VT Alumni/ae Dinner

### August

Law Alumni Association New Student Reception

### September

28th Annual Law School Road Race

(29) *Maine Law Review* Conference —  
“Closing in on Open Science: Trends in  
Intellectual Property and Scientific Research”

### October

Greater Portland Annual Fall Alumni/ae Reception

### November

(2) 15th Annual Frank M. Coffin Lecture on  
Law & Public Service — Hon. Judith S. Kaye,  
Chief Judge of the State of New York

## May

- 1** Board of Visitors Meeting
- 3** Manchester, NH Alumni/ae Dinner
- 4** Boston, MA Alumni/ae Dinner
- 17** Law Alumni Association  
Board of Directors Annual Meeting
- 27** Law School Graduation

[www.mainerlaw.maine.edu](http://www.mainerlaw.maine.edu)



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